

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FAIR HOUSING CENTER OF  
WASHINGTON,

Plaintiff,

v.

BREIER-SCHEETZ PROPERTIES,  
LLC,

Defendant.

C16-922 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) THIS MATTER comes before the Court upon Plaintiff Fair Housing Center of Washington's ("Plaintiff") Motion for Attorney's Fees and Costs, docket no. 62 (the "Motion"), to which no opposition was filed. Having reviewed the Motion and related papers, the Motion is GRANTED in part and DENIED in part as follows.

(2) The prevailing party in a civil rights suit is entitled to an award of reasonable attorney's fees and costs under the Fair Housing Act, 42 U.S.C. § 3613(c)(2). The prevailing party is also entitled to reasonable fees and costs under the Washington Law Against Discrimination (WLAD), RCW 49.60.030(2). The Court finds that Plaintiff was the prevailing party in this action brought under the Fair Housing Act, WLAD, and the Seattle Municipal Code. In determining the reasonableness of attorney's fees, courts employ the lodestar approach. *See Hensley v. Eckerhart*, 461 U.S. 424, 433–34 (1983). Under the lodestar approach, the Court multiplies the number of hours reasonably spent by a reasonable hourly rate. *See id.* Under the WLAD, this resulting figure may then be adjusted either up or down to account for the contingent nature of success and the quality of work performed. *See Chuong Van Pham v. Seattle City Light*, 159 Wn.2d 527, 541,

1 151 P.3d 976 (2007). Here, the Court finds that the following hourly rates for Plaintiff's  
2 attorneys and staff to be reasonable: Jesse Wing (\$500), Angela Galloway (\$325), and  
3 Sam Kramer (\$275). *See* Declaration of Jesse Wing in Support of Plaintiff's Motion for  
4 Attorney's Fees and Costs, docket no. 63 ("Wing Decl."), at 1–6. Concerning the  
5 number of hours spent by Plaintiff's counsel, the Court declines to grant the \$650 in fees  
6 incurred by Plaintiff in preparing and filing its untimely Supplemental Trial Brief on  
7 Standards for Punitive Damages Under the Fair Housing Act, docket no. 59. *See* Exhibit  
8 1 to Wing. Decl., at 16 (1.3 hours spent by Mr. Wing at \$500 per hour). The time  
9 incurred in preparing this brief is unreasonable. The Court finds the remaining time spent  
by Plaintiff in litigating this matter, including the 25% upward adjustment to the lodestar  
amount requested by Plaintiff, to be reasonable. The Court therefore grants Plaintiff's  
request for the remaining fees of \$141,460, calculated by multiplying the number of  
hours expended by the corresponding hourly rate (189.4 hours spent by Mr. Wing at \$500  
per hour; 136.6 hours spent by Ms. Galloway at \$325 per hour; and 8.6 hours spent by  
Mr. Kramer at \$275 per hour), plus a 25% upward adjustment to the lodestar amount, for  
a total fee award of \$176,825. The Court also grants Plaintiff's request for \$7,916.01 in  
costs, which the Court finds reasonable, for a total award of \$184,741.01.

10 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of  
11 record.

12 Dated this 17th day of November, 2017.

13 William M. McCool  
14 Clerk

15 s/Karen Dews  
16 Deputy Clerk